

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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AUTOMATED TRANSACTIONS LLC,	:	
	:	Civil Action No. 09-CV-9669
<i>Plaintiff,</i>	:	(SHS)
	:	
- v. -	:	
	:	
ASTORIA FEDERAL SAVINGS AND	:	
LOAN ASSOCIATION,	:	<b>JURY TRIAL DEMANDED</b>
	:	
<i>Defendant.</i>	:	
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**DECLARATION OF GERARD F. DIEBNER**

I, Gerard F. Diebner, declare as follows:

1. I am a member of the firm of Tannenbaum Helpert Syracuse & Hirschtritt LLP. I am counsel for Plaintiff, Automated Transactions, LLC. I am fully familiar with the facts and circumstances of this case.

2. Attached hereto as Exhibit 1 is a copy of Plaintiff's proposed Third Amended Complaint, with Exhibits.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: June 4, 2012

Respectfully submitted,

  
Gerard F. Diebner